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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,081	09/19/2006	Nigel D. Young	GB040068US1	3847

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

HANLEY, BRITT D

ART UNIT	PAPER NUMBER
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2889

MAIL DATE	DELIVERY MODE
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03/18/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/599,081	Applicant(s) YOUNG, NIGEL D.	
	Examiner BRITT D. HANLEY	Art Unit 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 21-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/26/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

01 Claims 21-24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected device, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/16/2009.

02 Applicant's election without traverse of claims 1-20 and 25-28 in the reply filed on 11/16/2009 is acknowledged.

Priority

03 Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

04 The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

05 The following title is suggested: Electroluminescent display has drive transistor controlled by light sensitive device, and light blocking structure to prevent cross talk.

Claim Rejections - 35 USC § 112

06 The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

07 Claim 1 recites the limitation "wherein each pixel further comprises a light blocking structure (100) formed from the thin film layers in the proximity of the light-sensitive device" in the last paragraph. There is insufficient antecedent basis for this limitation in the claim. Examiner interprets the phrase, in view of Applicant's disclosure to mean that the light blocking structures are formed from the amorphous silicon or low temperature polysilicon layers used to form the channel of the TFT devices or the photodiode.

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08 The term "substantially" in claim 1 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For examination purposes, the Examiner interprets, as in accordance with Applicant's disclosure, the phrase "wherein each pixel further comprises a light blocking structure (100) ... substantially at the level of the input surface for preventing the passage of light to the light-sensitive device from a substantially lateral direction" to mean --wherein each pixel further comprises a light blocking structure (100) ... at the level of the input surface for preventing the passage of light to the light-sensitive device from a lateral direction--.

09 The term "substantially" is also recited in claims 4, 9, 10, and 11, and renders those claims indefinite.

Allowable Subject Matter

10 Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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1.1 The closest prior art of record is Gleason (US 6392617 B1). Gleason discloses active matrix display device comprising an array of display pixels (column 3, lines 35 - column 4, line 12), each pixel comprising: a current-driven light emitting display element (312) comprising an area of light emitting material (organic light emitting material) sandwiched between electrodes (inherent in an OLED); and a drive transistor circuit (308) for driving a current through the display element, the drive transistor circuit comprising a thin film circuit formed on a substrate, the thin film circuit defining a drive transistor (308) and a light-sensitive device (316) for detecting the brightness of the display element (column 5, lines 39-51), the light-sensitive device having an input surface (inherent), wherein the drive transistor (308) is controlled in response to the light-sensitive device output (column 5, lines 39-51)) and wherein each pixel further comprises a light blocking structure (606) formed in the proximity of the light-sensitive device (see Figure 6, photodiode is 616) for preventing the passage of light to the light-sensitive device from a lateral direction (column 7, line 52 - column 8, line 18). Gleason does not appear to disclose that the light blocking structure is formed of amorphous silicon or low temperature polysilicon layers used to form the channel of the TFT devices or the photodiode, nor does Gleason appear to disclose that light blocking structure is formed at the level of the input surface of the light sensitive device. Claims 2-20 and 25-28 would be allowable if amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action as they depend from claim 1.

Conclusion

1.2 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Britt Hanley whose telephone number is (571) 270-3042. The examiner can normally be reached on Monday - Thursday, 6:30a-5:00p ET.

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1.3 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh-Toan Ton can be reached on (571)272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

1.4 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Britt Hanley/
Examiner, Art Unit 2889

/Toan Ton/
Supervisory Patent Examiner, Art Unit 2889